

The American Observer

A free, virtuous and enlightened people must know well the great principles and causes on which their happiness depends. — James Monroe

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Constitution Issue Arises in New Form

Court Decision on New York Law Deprives States of Power to Rule Hours and Wages

MOVE FOR AMENDMENT SEEN

Consideration of Problem Is Forced on Both Political Parties During National Campaign

The minimum wage decision handed down by the United States Supreme Court two weeks ago, and explained briefly in THE AMERICAN OBSERVER last week, promises to play a big part in the presidential campaign this year and to loom large in American constitutional history. The immediate and long-range importance of the issue is so great as to call for a more complete examination of the facts and opinions bearing upon it.

The facts relative to the New York law which was declared unconstitutional and the conditions which it was intended to correct, are clear enough. The law was enacted for the purpose of raising wage standards. Wages in certain New York industries were notoriously low. This was particularly true of women's wages in industries where they were chiefly employed, as in the laundries. The state's laundries employed 22,000 women and minors. Some of the women were working for as little as \$5 a week, and the average wage was \$10.41 a week. When account is taken of the fact that impartial investigators had found \$16 a week to be required for a decent living, it is seen that the wages actually received by the women were too low to permit of wholesome living. In many cases relief authorities were making payments to women employed in these low-wage industries to supplement the inadequate wages received from private employers. These facts are well understood and undisputed.

Background of Fact

Why did employers pay so little? Many of them did not wish to. Most of them would have preferred to pay more. But a few insisted upon cutting wages and thus cutting their expenses. This forced the other employers to cut wages and reduce costs also. If part of the laundry owners, for example, had held wages and costs up, their competitors would have cut their wages and costs. They would have been able to cut the cost of their service. They could have taken business away from the fair and conscientious employers. So all had to fall in line, following the practices of the less scrupulous.

But why did the workers themselves not insist upon higher wages? The answer is that they were not able to do so. The women in the relatively unskilled trades had no bargaining power. If one of them had stood out for higher wages, others, preferring low wages to suffering and threatened starvation, would have taken the jobs. Theorists might say that the women were free to bargain for higher wages and make any kind of wage contracts they chose, but they really had no choice. They had to take the low wages or go without work.

It seemed then that conscientious employers and workers were helpless to bring about better conditions. Was it possible, under the circumstances, for the state to

(Concluded on page 8)



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WILLIAM B. BANKHEAD, SPEAKER OF THE HOUSE OF REPRESENTATIVES

Speaker Bankhead

The sudden death of Speaker Joseph W. Byrns—the first time in history that a speaker has died during a session of Congress—brings William Brockman Bankhead to the position which has been called the second most powerful in the country. Quietly and without opposition, Mr. Bankhead has been elected to fill the vacancy left by the amiable and beloved Joe Byrns. He becomes the forty-second speaker to hold the office since the first Congress convened on March 4, 1789.

William B. Bankhead was born on a farm near Moscow, Alabama, April 12, 1874. He was the second son of United States Senator John H. Bankhead and thus he breathed the atmosphere of politics from his earliest years. He was educated in the public schools and later attended the University of Alabama where he distinguished himself in oratory and in football. In 1893 he came to Washington, was employed as clerk of the Committee on Public Buildings and Grounds, and secured his law degree from Georgetown University.

He was prepared for a career in politics, but only after considerable hesitation did he decide to follow that calling. He wanted to be an actor and at one time he had actually run away from home to go on the stage. He gave it up only in deference to the wishes of his family, which caused him to resolve never to oppose any of his children if ever they should feel drawn to the theater. His daughter, today, is an outstanding actress on the contemporary stage.

After spending two years in New York City as a law clerk—during which time he was an active member of Tammany Hall—Mr. Bankhead returned to Alabama and in 1900 was elected to the state legislature. Eventually he was sent to Congress and has been reelected to the House of Representatives for 10 successive terms. His rise in that body has been steady. He became head of the powerful Rules Committee and last year was made majority leader after an unsuccessful attempt to gain the speakership.

Speaker Bankhead is a faithful adherent to the policies of President Roosevelt, and has been frequently called upon by the Chief Executive for counsel. Together with his brother, Senator John H. Bankhead, he sponsored the Bankhead Cotton Control Act which went farther than the AAA in controlling agricultural production in the South. In his present capacity he will undoubtedly do everything in his power to advance the ideas of the President.

It is universally agreed on Capitol Hill that Mr. Bankhead will make a good speaker. He is suave, tolerant, and yet more firm than was his predecessor. He is well versed in the rules of the House and knows how to deal with recalcitrant elements. He is famous for his ability to clarify abstruse subjects and difficult points of legal procedure. He is a forceful and persuasive orator although his speeches in the House have been infrequent.

New French Premier Wins Early Success

Leon Blum, Head of Popular Front Government, Secures Demands of Striking Workers

MAPS NEW DEAL FOR FRANCE

But Must Overcome Serious Obstacles in Enacting Radical Program to Fight Depression

When the French people went to the polls on April 26 and May 3 they gave the Popular Front of liberal and radical parties a large majority in the Chamber of Deputies. By their votes they made possible the formation of the first really radical government France has had in the present century. And for the first time in French history an outright Socialist was placed at the head of the cabinet.

This remarkable development in French politics was the result of a situation which had been long in the making. Primarily, it was due to the effects of the depression which, since 1932, has sorely afflicted the people of France and which, like our own experience of four years ago, led to a widespread demand for change. A majority of the French wanted a New Deal. They became tired of the ineffectual, shifting policies of recent moderate cabinets. They had in mind the necessity of making certain reforms and above all they felt the need of a government which would have enough popular support to take decisive action. The Popular Front—a combination of parties ranging from Communist to liberal all pledged to support a specific program—was the instrument designed to carry out the wishes of this majority.

Popular Front

At best it was a shaky instrument. A coalition of parties is always a difficult thing to keep together, especially in France where politicians are noted for their reluctance to cooperate with one another. And what made the situation even more precarious was that the Popular Front contained Communists on its extreme left, and moderate Radical-Socialists on its extreme right, with the Socialists in the middle. How could such a combination possibly hold together? Surely the Communists would bring forward revolutionary demands and offend their Socialist and Radical-Socialist brethren. Many felt it would only be a matter of time before dissension would rend the Popular Front and destroy the parliamentary support behind its government.

Such was the opinion which prevailed when the result of the elections became known, and it was strengthened during the month which intervened between the elections and the actual installation of the Popular Front government. That interval was given over to the organization of the new cabinet. The initiative was taken by the Socialist party inasmuch as it had made the greatest gains in the elections and had become the largest party in the Chamber of Deputies. Leon Blum, leader of the Socialists, was named premier and he began to cast about for ministers for his cabinet. He had hoped to have all the parties in the Popular Front represented in the cabinet and invited their participation to this end. The Radical-Socialists readily agreed to join hands with the Socialists but the Communists held back. They declared that they preferred not to share

in the cabinet, although they would give their support to Blum so long as his policies conformed with the Popular Front program. They argued with some logic that if they were in the cabinet all the mistakes of the new government would be blamed on them. This would be an effective weapon in the hands of the conservatives and reactionaries who would like to discredit the Popular Front.

Blum Cautious

Blum did not agree with this point of view. He felt he would be safer with the Communists in his cabinet rather than out of it where they might cause trouble by making too extreme demands. However he was obliged to accept the Communists' decision, and proceeded with the task of forming a cabinet of Socialists and Radical-Socialists. Thus, at the very outset the groundwork was laid for a rift in the Popular Front. It was not certain that the Frenchmen who had voted for the radical coalition would get their New Deal.

Nor were subsequent events reassuring. Blum proceeded cautiously, both with the organization of his cabinet and with his declarations of policy. He selected men of moderate views and his statements were couched in terms calculated to reassure the conservatives. Blum thought it advisable to go forward slowly, for after the elections there was a brisk movement of gold out of the country. French people of means, either because they feared radical action by the new government or because they deliberately wished to embarrass and if possible to cripple the Popular Front, began to ship their gold out of the country. It was essential that this movement be checked and Blum's reassuring tactics did slow it down considerably. It was beginning to look as if the Popular Front government would not attempt to turn France inside out overnight. Blum himself is a wealthy man and, although a convinced Socialist, inclined to moderation. And while many in France hate him because he happens to be Jewish, his devotion to his country cannot be seriously questioned. There was every indication, therefore, that the new government would be only moderately radical. This, at least, was the judgment of most people as the government prepared to take office on June 3.

Strike Wave

Then something happened which shook the whole of France and which placed an entirely new complexion on the incoming government. Shortly before Blum was to take office French workers here and there began to strike. They laid down their tools quietly and without anger, but instead of walking out of the factories after the fashion of traditional strikes, they remained inside. They occupied the factories and thus it became impossible for employers to hire strikebreakers and attempt to keep the wheels of their machines turning.

All this was done with the utmost good nature and with a minimum of disorder. And as the first groups of workers successfully occupied their factories, others followed their example. The movement spread like wildfire and by June 3, when Blum assumed the premiership, there were at least 100,000 strikers. A day or two later there were over half a million, and some estimates place the total at a million. Still



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FRANCE ON STRIKE
As 1,000,000 workers staged their remarkable nonviolent strike in French factories and stores recently.

there was no violence, no bitterness on the part of the workers.

What occasioned this wholesale walkout of French workers just as the Popular Front government was preparing to assume power? It seems that there was more than one motive. On the one hand, many workers felt that their hour had come. They knew that the incoming government was sympathetic toward them and that it was a good time to strike in an effort to secure their demands for a 40-hour workweek, wage increases, vacations with pay, and recognition of their unions. They were impatient to secure the benefits promised by the Popular Front and they knew that the Blum government would not suppress the strike by force.

There was another reason, however, which was probably just as potent, and perhaps more so. Many French workers had observed the cautious, moderate way in which Blum approached his tasks. They feared that they might lose what they had hoped to gain from the election. They believed it necessary to show the government and the nation that the Popular Front program must be put into effect in its entirety. It was essential to make it clear that their power could not be ignored.

It seems that the strike was a spontaneous affair from the beginning. The Communists, while they naturally supported the strikers, do not appear to have been responsible for the strike, nor did the labor unions dictate the walkout, although they too rallied behind it. The strikes were carried out by the workers of their own accord.

Blum Acts

But whatever the motives, and whatever the leadership, the success of the movement was overwhelming. As soon as he became premier, Blum began to talk more energetically. He went before the newly convened Chamber of Deputies and declared that the full program of the Popular Front would be carried out with a minimum of delay. He said that before the Chamber took its vacation it would be asked to pass bills providing for a general 40-hour week in French industry; paid holidays for workers; collective bargaining; political amnesty for radical prisoners; a large public works program to relieve unemployment; nationalization of the munitions industry; farm relief measures; reform of the Bank of France

giving the government greater control over that institution; and revision of the economy decrees of previous governments which added to the burdens of war veterans and public servants. And he promised a host of other measures for the next session of the Chamber of Deputies.

Blum's stand won him an impressive vote of confidence in the Chamber. His prestige with the Popular Front supporters was established and he was immediately able to proceed with efforts to end the strike which was beginning to have a serious effect on France. He conferred at length with representatives of employers and workers and finally on June 8 secured the agreement of most employers to the demands of the strikers. There was no compromise. The strikers won everything they asked for—an accomplishment as noteworthy as it was unusual.

And so the French Popular Front government has got off to a good start. It is too early, of course, to tell whether it can continue this record, but there is a feeling that it is destined to remain in office for a considerable while. It obviously has enough popular support to keep it in power, despite the opposition of the conservatives, large business, and the business-controlled press.

Dangers Ahead

Yet, there are serious difficulties ahead which promise to give Premier Blum many uneasy moments. There are certain points of the Popular Front program which will not be easy to place in effect. For example, the new government is pledged to nationalize the munitions industry. Aside from the immense technical problems connected with such a step (munitions involve many types of goods) there is the fact that Blum is tackling one of the most powerful and best organized minorities in France. The munitions industry is dominated by the mighty steel trust, Comité des Forges, which in the past has wielded great influence over French governments. It is ruled by men who are used to power and who will not be unseated without a struggle.

Again, there is the part of the program which calls for reform of the Bank of France. The Bank of France is a semi-official, privately owned organization which is the seat of French financial and industrial power. It lends money to the French treasury and is the general agency of public finance. The government exercises some control over the institution through the governor of the Bank who is appointed by the premier. Actually, however, 12 regents of the Bank—the richest men in France—control its policies, and the entire institution is dominated by the 200 wealthiest families in France. In the past the Bank of France has been greatly influential over the governments, and it has been accused by its enemies of deliberately destroying cabinets not to its liking by creating financial troubles.

The Popular Front government now pro-

poses to reduce the powers of this organization in order to place it under rather than over the government. The more radical supporters of the Popular Front believe that the Bank should be nationalized, but for the present the government will be content to increase its control of the Bank. And even this is not likely to be an easy matter.

Devaluation?

Besides these two difficulties, there is the old, persistent problem of depression. How shall the Popular Front government place the nation on the road to prosperity? It promises to relax certain economies made by previous governments at the expense of war veterans and public servants. It plans to spend money on public works and on other relief measures. But the budget is already badly out of balance, and the additional borrowing will hardly improve the government's situation.

Most financial experts both in France and out are convinced that before the depression can be conquered the government must follow the example of Great Britain and the United States and devalue the French currency. As things are now these two countries, along with others, have an advantage over France in international trade because their currencies are lower in value in relation to the franc than they used to be. This means that French goods in



—Sturges in Christian Science Monitor

LEON BLUM

trade (and also tourist traffic in France) suffer, and restoration to prosperity is seriously interfered with. It is noteworthy that both Great Britain and the United States date the beginning of their recovery from the day they decided to abandon the gold standard.

Why then does not France follow suit? The answer is that no one dares to take the step. There are millions of French people who draw their income from government securities and from salaries and pensions of one sort or another. Their income thus is fixed and their great fear is that if the franc is devalued, prices, already high, will rise and, in consequence, their present depleted purchasing power will be further reduced. Because of this opposition, the Popular Front government, like

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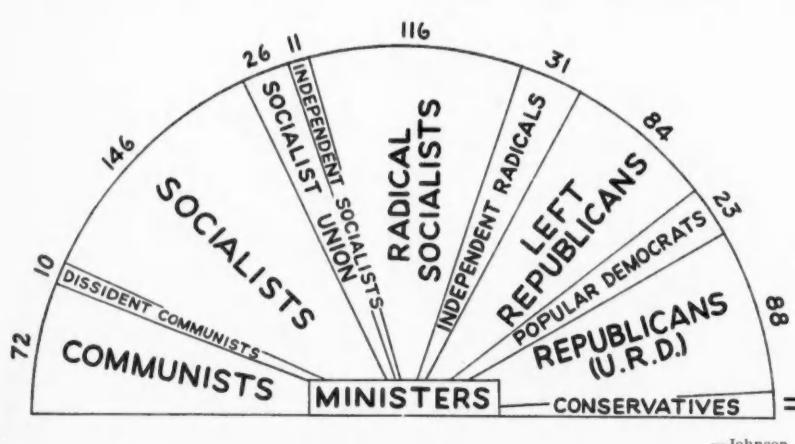
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THE RELATIVE STRENGTH OF THE VARIOUS POLITICAL PARTIES IN FRANCE

AROUND THE WORLD

China: Into the tense situation created by the increase in the Japanese garrison in North China and by the continued encouragement of smuggling, another source of friction has been thrown in. Troops, variously estimated from 30 to 250 thousand, have been moving northward from the southern provinces of Kwangsi and Kwangtung and threaten to approach the Yangtze River.

As has come to be expected from events in the Far East, this development has been explained in various ways. Of the several interpretations offered, it is impossible to say which approximates the truth. Taken together, however, they reveal more accurately than any one interpretation could, the confusion obtaining in eastern Asia.

The authorities of the provinces figuring in the incident first claimed that the advance of their troops was merely a gesture of support to General Chiang Kai-shek. They noted the fact that their government had issued a manifesto to General Chiang urging him to declare war against Japan, and that their troops were marching northward only to support the central government, should it decide upon that course of action.

Less simple was the explanation offered by certain observers. They saw in the whole affair the hand of Japan. The southern provinces, they maintained, were revolting against the Nanking government. Japan had inspired this rebellion. She had supplied the southern generals with money, munitions, and advice in order to create internal dissension in China and thus afford her further opportunity to penetrate the mainland.

Japanese spokesmen vehemently denied the accusation. They did look upon the movement of the troops as a rebellion, but claimed that it resulted from the fact that Chiang Kai-shek had prepared a new constitution to be submitted to the people's assembly in November. This constitution, according to the Japanese spokesmen, would make General Chiang virtual dictator of all China, a step opposed by the authorities in the southern provinces.

A certain amount of credence was lent to the Japanese claim by later reports said to have issued from personal representatives of the southern generals whose troops are now on the march. According to these reports, the southern provinces are impatient with Chiang's refusal to engage Japan in war. They therefore decided to take the initiative in the matter, and if unable to obtain the support of General Chiang, to revolt against his government, declare the independence of their own provinces, attempt to oust him from his leadership and then to fight Japan.

* * *

Geneva: At the request of the Argentine government, the League of Nations Assembly will be convoked on June 30 by



—Courtesy New York Times

CLASHING FORCES IN CHINA
The dark areas indicate the regions of southern China from which armies are reported to be moving in a campaign against the Japanese. The light areas indicate regions in which Japan's influence is strong.

its president, Eduard Benes of Czechoslovakia. The meeting promises to obscure that called for June 16 by the League Council, which is made up of the larger powers. Its importance lies in the fact that it will be the first attempt by the League to deal squarely with the Italian conquest of Ethiopia. So frank a manner of facing an embarrassing situation is not relished by the larger powers.

England, for example, is making obvious efforts to reach some agreement with Mussolini. It is doing everything to avoid further occasion for bitterness. In its manner of treating Haile Selassie during his visit to London, the British foreign office has been most circumspect. It has failed to accord him the honors normally paid to a visiting monarch, thus almost openly admitting that Italy is now sovereign in Ethiopia. Moreover, the appointment of Sir Samuel Hoare as first lord of the Admiralty, despite his forced resignation from the cabinet following the disclosure that he had made a deal for handing over a large part of Ethiopia to Mussolini even before the latter had conquered it, means, according to one interpretation, that England is becoming reconciled to the creation of an Italian empire in East Africa.

So apparent, in fact, had all this become that it was planned to adjourn the coming Council meeting until September. It was hoped that the intervening time would allow for the healing of grievances and permit the natural death of sanctions.

The Assembly meeting is therefore hardly welcome, for the League members will now be forced to state openly their views. Simply to revoke the sanctions, however

tempting such a step might be, would obviously mean to sound the League's death knell. To continue them, on the other hand, would invite the defiance of Il Duce.

* * *

Austria: For the second time in recent months, rumors of the restoration of the Austrian monarchy have circulated in European press dispatches. The report on this occasion was founded on two incidents: a visit to Mussolini by Chancellor Schuschnigg, and an appeal to the Austrian people from Archduke Otto, claimant to the Austrian throne.

The young exiled prince announced that the time had come for "decisive action," saying that he was ready to return to his country to give it "its old unity, power, and happiness." He was reported to be awaiting the call for his return in Switzerland, near the Austrian border.

Schuschnigg's conference with Mussolini was officially termed a friendly discussion of the Central European situation and of the relations existing between Austria and her neighbors. In some quarters, however, it was said that the two statesmen discussed the advisability of a plebiscite to determine whether the majority of the Austrians desire the return of the Hapsburg crown.

This explanation has been accepted by some observers with a great deal of caution. They note that the chancellor is well aware of the crisis which the return of Otto would precipitate. They are therefore more inclined to believe that Schuschnigg has been feeling the insecurity of his own position, and that he was merely seeking for some support. Following this line of thought, these same observers suggest that Mussolini advised Schuschnigg to cultivate the favor of the moderate Nazis in Austria, who, while desiring the independence of their country, nevertheless feel friendly to the Nazi régime in Germany.

* * *

France: The French foreign office has been informed by the Italian ambassador to Paris that unless sanctions are lifted, Mussolini will be forced to leave the League of Nations and seek an alliance with Hitler. Such a move would be taken most unwillingly, the ambassador said, yet it was the only course open to Italy under present circumstances.

The fact that this information was communicated to the French government is in itself of definite significance. Mussolini well knows with what fear the French have been watching the rearmament of Germany, her denunciation of treaties, and her avowed expansionist aims. Nothing is so precisely calculated to arouse the French people as the threat of an Italian alliance with Germany, for one of the cardinal points in France's foreign policy is to keep Italy on her side as a guard against Germany.

Among astute observers, it is noted that the basis of French fear of Germany is not over possible German expansion westward but rather toward the east. There are few who would maintain that Hitler has any intention of crossing the Rhine River. On the other hand, there is little doubt that he covets Austria. For France to countenance the subjection of Austria (regarded as inevitable in the event of Italian-German alliance), would mean to sacrifice the leadership of Central European affairs. Yugoslavia, Czechoslovakia, and Rumania could no longer rely on Paris for their independence, and would thus be forced to join in with Italy and Germany. To seek pro-

tection from Hitler would be one way to maintain that independence.

Mussolini's threat thus involves the prestige of France in European affairs even more than her own security. It is believed that Premier Blum favors the lifting of sanctions, but that he is beset with the difficulty of reconciling such a step with the Socialist doctrines which placed him in office.

* * *

England: Faced with the necessity of eating bread instead of cake, the British have found the bread very good, indeed. It is now several weeks since suggestions were first made that South Africa become an important naval base to supplement the Suez Canal should the latter become menaced by Italian ambitions in Africa. The proposal was first welcomed as a necessary evil. It was unfortunate that the canal could not remain a British "ditch," yet one had to face realities. So why not take the next best course of fortifying the Cape of Good Hope?

The plan was eagerly accepted. But not for long did it remain simply the next best course. Naval experts, indeed, have been showing that the South African route to the East has decided advantages over the Suez route. To be sure, it is longer, yet not so much as to be alarming. To Melbourne, for example, the African route is only 10 per cent longer than that of the Suez. And the extra cost of transportation would be offset by the saving in canal toll rates. Moreover, the Mediterranean is not easy to protect. Submarines could easily



© Acme

THRONE SEEKER
Otto, Hapsburg aspirant to the throne of Austria, asks that he be recalled to his country.

patrol its width and thus endanger British ships. On the other hand, by controlling Gibraltar and the port of Aden, Britain could hold a Mediterranean power in a naval vise, at the same time that she could continue unhampered her commerce with India and Australia.

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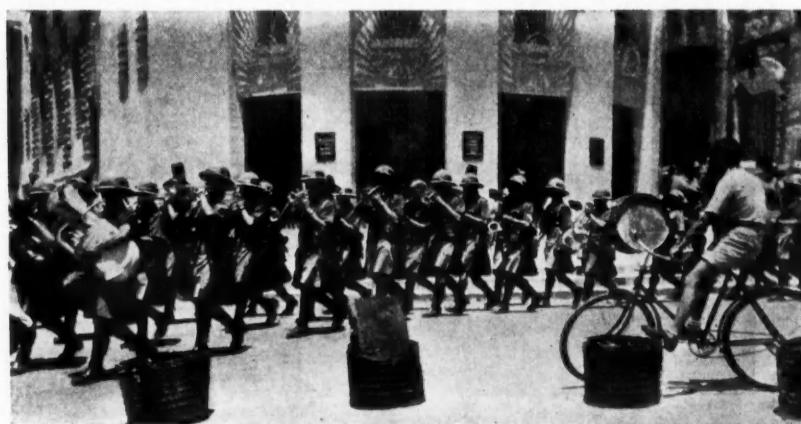
Thirty Italian soldiers were slain in Ethiopia by members of guerilla bands. It is claimed that remaining Ethiopian troops are awaiting the arrival of the rainy season to begin a campaign of guerilla warfare against their Italian conquerors.

* * *

The British expedition attempting to scale Mount Everest has been forced to abandon all efforts to accomplish the task this year, because of the unfavorable weather conditions.

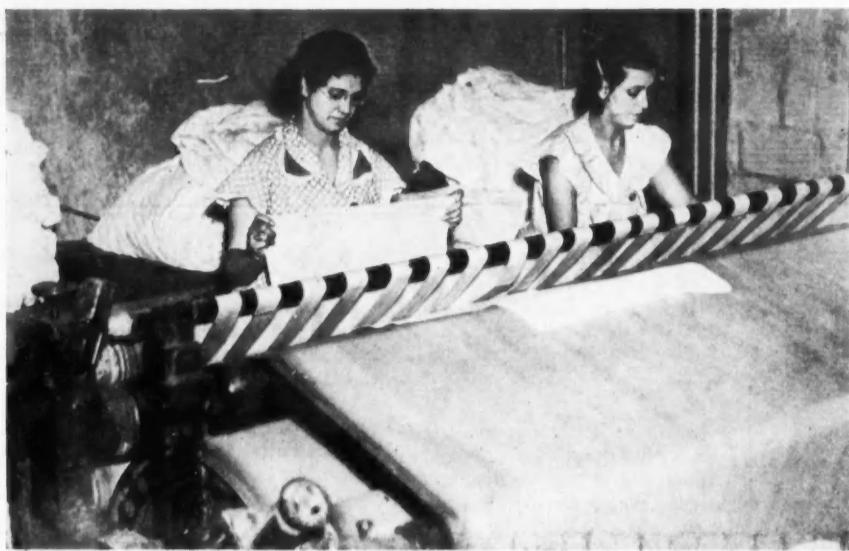
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A one-year trade agreement, concluded between Germany and Brazil, provides for large German purchases of Brazilian cotton, coffee, and tobacco.



BRITISH TROOPS IN PALESTINE

But despite the presence of armed forces there are still sporadic outbreaks as the Arabs continue to campaign against the Jews.



THEY CAN WORK LONGER NOW

Since the Supreme Court's decision on the New York minimum wage law (see page 1) women employees in the Empire State must face longer working hours. These girls are working in the laundry of Joseph Tipaldo who defied the law, furnishing grounds for the case which was carried to the Supreme Court.

The G. O. P.

As we go to press this week the Republican National Convention is beginning its sessions. It is taken for granted that Landon will be nominated, possibly on the first ballot, and the party is centering its attention on the platform and on the vice-presidential choice.

Early reports from Cleveland indicate that the Republican party is passing through a reorganization. The old leaders, who for years have dominated the party, are overshadowed by a new and younger element which, for the most part, is rallying about Landon. Their spirit is not one of ultra-conservatism but rather of liberalism. The young party members are apparently convinced that a new day has come and that old methods will no longer serve. Thus, we may expect to see a Republican platform with more of a liberal flavor than had been anticipated. There may be a new and different G. O. P. when the

actually received in 1932. For six months, now, the President's popularity, as shown by this unofficial poll, has been mounting. According to present indications he has a comfortable lead in 26 states and is ahead by a narrower margin in 11 others. The Republicans are well in the lead in six states—Maine, New Hampshire, Vermont, Rhode Island, Delaware, and Massachusetts. They have a narrow margin in three—Connecticut, Pennsylvania, and Kansas. Two states—Colorado and Illinois—are evenly divided between the two parties in sentiment.

Beloved Joe

Speaker Joseph W. Byrns of the House of Representatives died suddenly at the age of 66. It was the first time in American history that a speaker died while the House was in session. The strain imposed upon him during the last few days before Congress recessed was said to have contributed materially to the sapping of his strength.

A member of the House from Tennessee for 26 years, Joseph Byrns earned the reputation of being a shrewd, withal honest, politician. He was a kindly, soft-spoken man who knew all the intricacies of parliamentary law. His devotion to the Democratic party did not diminish the genuine esteem in which he was held by even his Republican opponents who looked upon him as a fair-minded leader of the House. Before he became speaker, succeeding Henry T. Rainey, he was chairman of the powerful House Appropriations Committee.

State honors were paid to Speaker Byrns at his funeral, at which were present President Roosevelt, a large delegation from Congress and ranking government officials. He was buried in his native Tennessee, the President and a number of members of Congress accompanying the body to its final resting place.

Recess

Despite last-minute pressure to complete the remaining legislation, Congress found itself unable to adjourn the present session and was forced to call for a recess until next week to permit Republican members to attend the convention in Cleveland. This delay is in large part due to the sudden death of Speaker Byrns.

When Congress reconvenes this week, the two important items awaiting final action will be the new tax bill and the deficiency bill providing for relief. Both the Senate and the House have approved separate tax measures, but they have as yet failed to come to an agreement of their differences. The representatives accepted substantially President Roosevelt's recommendation for a graduated tax on the undivided surplus of corporations, but the Senate has been insistent upon a flat seven per cent tax on all surpluses, no matter what their size.

Before Congress recessed for the week, Senator Elmer Benson of Minnesota intro-



THE SPEAKER PASSES

As services were held in the Capitol for the late Joseph W. Byrns.

Cleveland convention is over—how new and how different is something which the candidates and the platform will reveal during the campaign.

Roosevelt Strong

It is quite obvious that the Republicans will have to revamp their party and their policies to a considerable extent if they are to have any hope of winning the election in November. President Roosevelt has been steadily gaining in popularity during recent months and the prospects of his re-election, at this time, are exceedingly bright. In its latest poll, the Institute of Popular Opinion finds that if the election were held today the President would receive 55.8 per cent of the total vote, which is close to the 59 per cent he

duced a resolution calling for an investigation into the activities of the Black Legion, secret terrorist organization in Michigan.

Off to Texas

Although mindful that the political spotlight was on the Republicans in Cleveland, President Roosevelt last week went on a 4,000-mile tour into the Southwest. Before embarking on his special train, he made it clear that in the several speeches he was scheduled to deliver no political references would be permitted to intrude. They would be confined, he intimated, to historical comments upon the celebrations he planned to attend. These included the Texas centennial and the dedication, in Vincennes, Indiana, of a memorial to George Rogers Clark.

Mr. Roosevelt also spoke in Little Rock, Arkansas. The fact that Senator Robinson, the staunch administration spokesman, is running for re-election from that state, gave to this address a strong political flavor.

In the course of his trip, the President also stopped off to visit the Alamo and the battlefield of San Jacinto in Texas and the birthplace of Lincoln at Hodgenville, Kentucky. Though now returned to Washington, Mr. Roosevelt will be off on another trip within a few days, this time to New London, Connecticut, where he will attend the Harvard-Yale regatta.

Green and Lewis

The battle between William Green and John L. Lewis is approaching a showdown. The former, as president of the American Federation of Labor, is fighting Lewis' attempt to promote the organization of labor unions on an industrial basis. Green and most of the A. F. of L. leaders want to continue organizing unions on a craft basis. The difference is that the craft unions include only the skilled workers in different industries. Thus, there is a machinists' union, a carpenters' union, and so on. On the other hand, the industrial union confines itself to a single industry and includes all the workers, skilled and unskilled, in that industry. The outstanding example of this type of union is the United Mine Workers of America, of which Lewis is president. It is the most powerful single union in the A. F. of L.

In order to further the organization of industrial unions, Lewis some time ago established a Committee for Industrial Organization, and has obtained the support of eight strong industrial unions besides his own. Recently, he offered the Amalgamated Association of Iron, Steel and Tin Workers a sum of \$500,000 to help them organize the steel industry along

industrial lines. The offer has been accepted over Green's strong protest.

Green sought to undermine the growing strength of Lewis by ordering him to dissolve the Committee for Industrial Organization by

IN THE OLD TOWN TONIGHT
—Elderman in Washington Post

June 3. Lewis, of course, scorned the order and it is likely now that the executive council of the A. F. of L. will meet next month and order the suspension of the nine unions behind the C.I.O.

The importance of this factional fight in the A. F. of L. cannot be underestimated. It is likely that in the long run Lewis, with his more modern type of union better suited to the mass production industries, will either wrest control of the A. F. of L. from Green or will set up a rival organization which in time will surpass it, since the industrial type of union is capable of absorbing so many more men than the craft type. In the end this will mean a more powerful organized labor movement in this country.

Shift in AAA

For many months it has been known that Chester C. Davis, administrator of the AAA, has not been pleased with his position. He has complained of the high pressure of work and has been anxious to retire from public service. There have been suggestions that he has had differences with other leaders in the Department of Agriculture but these have been vigorously denied.

Mr. Davis is an influential figure in agricultural circles and President Roosevelt has been anxious to keep him in the government. Accordingly, after having sent him to Europe for two months to study foreign market conditions, the President has appointed Mr. Davis to the Federal Reserve Board as the representative of agricultural interests. In this position Mr. Davis will continue to be available for counsel on agricultural policy.

The new AAA administrator will be Howard R. Tolley, a director of the Giannini Foundation of Agricultural Economics at the University of California who, with a few brief interruptions, has been engaged by the AAA since its organization. Mr. Tolley has taken a leading part in the development of the Roosevelt administration's new farm program.

Toward a Merit System

Two important steps have been taken within the last week to place all government workers upon a merit basis. A bill introduced into Congress just before it had decided to take a recess is the most comprehensive measure yet proposed to take politics out of government jobs. It provides that all postmasters be placed under civil service after 1938; that civil service be extended to all executive branches of the government, except those which are strictly temporary; and that local communities be permitted to use the facilities and services of the



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NEW AAA HEAD
Howard R. Tolley who succeeds Chester C. Davis as chief of the Agricultural Adjustment Administration.

The United States

Doing, Saying, and Thinking

Civil Service Commission in order to improve their own merit systems.

The other step was taken by the National League of Women Voters. It prepared a plank to be presented to the conventions of both po-

a return to indecent, degrading Elizabethan methods of poor-law administration by local overseers of the poor. In many New Jersey communities relief applicants are forced to pauperize themselves merely to get enough food to exist. . . .

The cry for local administration of relief is merely a cry for local administration of federal funds for relief. At present cities and towns have all they can do to administer direct relief to the unemployables, for which they are entirely responsible. They want us to pay for their relief while they do it any way they see fit.

Any such development would undo what we have done to raise the standards of relief. One of the reasons why costs are so high today is that we are really trying to meet the needs of the people, and have had to double the cost per family to do so. When I came here, people on relief were starving to death under the Hoover system.

In contrast to this statement are reports from New Jersey which claim that large savings have been made in direct relief costs since the state returned the problem to the municipalities some weeks ago. Authorities declare that many people have dropped from the relief rolls, realizing that relief funds would no longer be as plentiful as they had been, and turned their attention to finding work.

Bonus Money

The distribution of \$2,000,000,000 to war veterans in payment of their bonus claims promises to avert the decline in trade which normally occurs during the summer months. For several years millions of Americans have been content to provide themselves with the immediate necessities of living, with such things as food, clothing, and simple shelter. They hoped that recovery would soon permit their indulgence of more than these necessities. To those who are to receive the bonus, and indirectly to others affected by the increased flow of goods, this hope will now be realized to a fair extent. Many of them, it is anticipated, will now be in a position to invest in new homes or to make extensive repairs on their old ones. Others will buy new cars, improve their home furnishings or replenish dwindled wardrobes. It is true that the bonus money will in certain instances be used to pay debts, but the recipients of these debt payments will themselves be able to buy many things which they desire. For a great deal of this money is not owed to banks, where it would admittedly swell unused deposits, but rather to individuals, to grocers, landlords, doctors, and dentists.

It is an interesting fact, and one significant of the trends of business today, that many of the department stores in the larger cities and several manufacturers of nationally known products have decided not to conduct any campaign of high pressure salesmanship while the bonus funds are being passed out. It was thought wiser to advise veterans not to



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SAGE OF EMPORIA
William Allen White, editor of The Emporia Gazette, who is one of Landon's chief advisers and backers.



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ON THEIR WAY
Bonus bonds piled up in the Treasury preparatory to being sent out to war veterans all over the country. If all the veterans cash their bonds, as most of them are expected to do, approximately \$2,000,000,000 will be added to their purchasing power within the next few weeks.

hurry to spend their money but rather to do so judiciously.

keeping his six months' vigil with loneliness, the admiral said, that he came to realize the follies of international war.

* * *

We like this story about Senator Vandenberg, which sounds true, and—according to an excellent source—is true. An emissary from Governor Landon asked Senator Vandenberg if he would accept the vice-presidential nomination on the Landon ticket. "Tell Landon," replied Senator Vandenberg, "that I will run with him in 1936 if he will run with me in 1940."—Today.

Names in the News

John Hays Hammond, Sr., noted mining engineer, who rose from poverty to great wealth, has died at the age of 81. His life was full of adventure. He traveled widely, was once condemned to hang in South Africa



© W. W.

WORLD'S LARGEST PIPELINE
A section of the aqueduct system which will bring water from the Colorado River to Pacific coast cities.

and finally lived to become the confidant of kings and rulers.

* * *

William Hale Thompson, former mayor of Chicago who once attributed the woes of that city to King George of England, has come out strongly against the "old-guard" Republicans who, he claims, encourage monopoly.

* * *

Frederick B. Robinson, president of the City College of New York, has been under fire for alleged incompetence in conducting the affairs of that institution. A four-month inquiry by the Board of Higher Education had justified the activities of Dr. Robinson and had maintained that New York might well take pride in him, but this report met with charges of "whitewash" from two of the college's most distinguished graduates, John T. Flynn and Lewis Mumford.

At a testimonial dinner given him for his Arctic expeditions, Admiral Byrd announced that except for two years of additional exploration, he would devote the rest of his life to the cause of international peace. It was while

Historical Backgrounds

By David S. Muzzey and Paul D. Miller

The New Democracy Under Jackson

THE campaign of 1828, which brought to the White House Andrew Jackson, that great hero of the people, was one of the most important in our entire history. It marked the end of one era and the beginning of another. For the first time, it brought to the highest office in the land a man whom the people considered to be their own representative. The "dynasty of secretaries" had come to an end. At last the people had come into their own. True democracy was established. Government was no longer to be merely *for* the people, as both Jefferson and John Quincy Adams, each in his own way, had contemplated, but it was to be *actually by* the people. It is important to realize the essential difference between Jacksonian Democracy and Jeffersonian Democracy in order to appreciate the significance of the election of 1828.

Class Division

To a certain extent, the United States, comprised in 1828 of 24 states, was divided along class lines. It was a combination of the farmers of the rough-and-ready West and the industrial workers of the eastern centers that made the election of Jackson possible.



DAVID S. MUZZEY

His was the farmer-labor party of the day. The farmers of the West knew no class distinction; one was as good as another. They would have nothing to do with the aristocratic traditions of the East. They wanted one of their own placed in the White House. And it was only natural that the men and women who worked in the factories of the East should feel that Old Hickory was one of them and would best assist them to get the better working conditions for which, even then, the laborers of the country were striving. Had it not been for the votes of these workers in New York and Pennsylvania, Andrew Jackson would never have been elected to the presidency in 1828.

Never before in our history had there been such mud-slinging and personal vituperation as in the campaign of 1828. The supporters of both Jackson and Adams were guilty. The vital issues of the day were largely ignored, while personal abuse of the two candidates was the method of winning the voters. The Adams people called Jackson a murderer, a drunkard, an illiterate, and scores of other uncomplimentary things. Adams, on his side, was called a thief and a robber, an immoral man, and a number of unprintable names. John Bach McMaster, in his "History of the People of the United States," gives us a detailed picture of the campaign of 1828:

Campaign of 1828

The overthrow of the congressional and legislative caucus, the want of party organization, the absence of the national convention and the nominating machinery of later days, the almost universal adoption of the general ticket or the district system and the great extension of the suffrage, the outcry against the "dynasty of the secretaries," the demand for a President who was a "man of the people" and the belief that Jackson had really been cheated out of the presidency by bargain and corruption, left all matters of detail entirely in the hands of the people.

Never before, as a consequence, were such appeals made to the voter. The mass of campaign literature surpasses anything of the kind that ever went before in quantity, scurrility, and falsehood. Records, both public and private, were ransacked, the career of each candidate was passed in review, and no act of the least importance was suffered to go unquestioned. Jackson was charged with marrying his wife before she was divorced from her first husband; with the murder of six deserters from the militia at Mobile in 1815; with being a party to Burr's conspiracy; with usurping the powers of Congress and making war on Spain by invading Florida; with defying and disobeying the orders of the President by captur-

ing St. Marks and Pensacola; with executing Arbuthnot and Ambrister without trial; with banishing citizens of Pensacola on the charge of being spies in time of peace; with unlawfully and arbitrarily forcing Colonel Collaver to surrender archives and documents when governor of Florida; with placing military above civil power at New Orleans, and insolently defying a judge; with using profane language; and with hostility to the American system.

Adams, on the other hand, was denounced as a monarchist, as an aristocrat, as an old Federalist in disguise, as a man who had changed his party but not his principles, as a ruler above the law and blind to duty. He was charged with assuming power not granted by the Constitution in claiming the right to send ministers to Panama against the will and without the consent of the Senate. He was charged with causing the loss of the British West Indies trade by mismanagement; with gross extravagance in the expenditure of public money; with having fed all his life at the public crib; with having received such great allowances for the many offices he had held that the grand total was equal to 16 dollars for every day of his life since he first drew breath. He was a northern man from a free state, he had used federal patronage to influence elections, had corrupted the civil service, had quarreled with his father, was the friend of duelists, had written a scurrilous poem against Jefferson, was an enemy of the West, and while at St. Petersburg had surrendered a beautiful American servant girl to the emperor of Russia.

Symbolic of the victory of "the people" and an indication that government would actually be *by* the people was the reception given at the White House on the occasion of Jackson's inauguration. It was no "stuffed shirt" affair. The people, thousands of farmers from the West and workers from neighboring sections, flocked to the White House to install "their" President. Pandemonium must have reigned, for the beautifully upholstered chairs were torn and splattered with mud; punch was spilled on the floors and glasses were broken. It was "the people's" day, and they would have their inning.

Jackson's Philosophy

It is a mistake to assume that Jackson had a definite social philosophy when he took over the presidential office. A political philosophy, yes; but a clear-cut idea of the kind of economic order he wanted to see established, he had none. In this respect he differed from most of his predecessors. He was against the Hamiltonian philosophy and was determined to fight the business interests of the day. But he had no substitute plan. Thus he fought the bank as the great "monster," but when he succeeded in destroying it, he had nothing to offer which would benefit the farmers and the workers, and on the morrow of his administration the nation was plunged into one of the worst depressions of its history.

In a sense, it was this war on the bank that epitomized Jackson's economic philosophy of government. For years, the government had been run for the benefit of the business interests of the North

and East. It was a time to bring such capacity to a halt. The attitude of Jackson and of those who put him in office toward the existing state of affairs was clearly set forth by Senator Benton of Missouri, who spoke of "the great cities of the Northeast which have been for 40 years, and that by force of federal legislation, the lion's den of Southern and Western money—that den into which all tracks point inward; from which the returning track of a solitary dollar has never yet been seen."

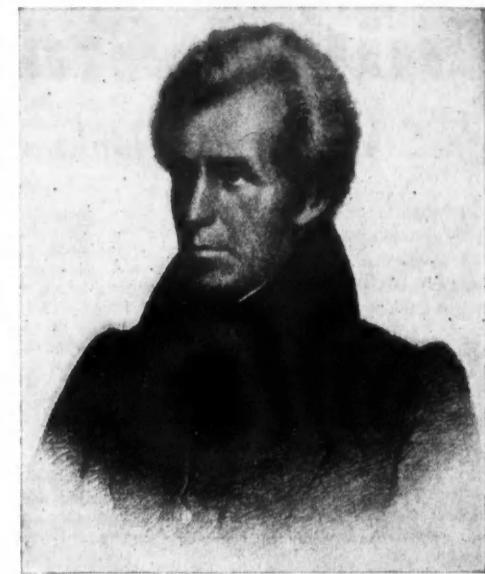
The Bank was the great symbol of the money power of the day, and to destroy the Bank would be to destroy the power of the great capitalists; at least so Jackson thought. Besides, such a battle proved to be good politics because it satisfied the people who had put Jackson into office. As it turned out, the unsound state banking system, which the westerners wanted, was allowed to flourish and was even given a great impetus by Jackson's policies.

Political Views

With the political philosophy that Jackson had, it was only natural that a change in the administration of government should take place under his régime. The idea that education and training were essential characteristics of the government personnel—an idea which had been so stoutly adhered to by Jefferson and which was one of the pillars of John Quincy Adams' philosophy—was made short work of by Andrew Jackson. "The duties of all public officers are so plain and simple," he said, "that men of intelligence may readily qualify themselves for their performance." It was largely through the influence of Martin Van Buren, a particularly astute politician of New York, that the "spoils system" was carried over to the federal government, and Jackson was quick to accept the idea as being more democratic, since it permitted more people actually to take part in running their government. More civil employees were thrown out of jobs during Jackson's first administration than during all administrations of our previous national history put together.

New Democracy

It cannot be denied that the Jacksonian period was truly important for the new idea of democracy that it brought to the country. Under his régime considerable progress was made. The professional politicians began to come into their own, for in 1832 the parties chose their candidates for the presidency by means of national conventions controlled by those who made politics their business or profession. The number of elective offices was greatly increased. The election of the President underwent an important change during the period, for, instead of having the state legislatures select the presidential electors, the voters themselves made the selection. By 1832, only one state continued the prac-



ANDREW JACKSON

From an illustration in "The Presidents in American History," by Charles A. Beard (Julian Messner).

tice of choosing electors by the legislature. At the same time, the suffrage was so extended as to include practically all adult male members of the population.

Important, too, was the fact that the two traditional parties in our history had their origin during the Jacksonian era. It is, of course, possible to trace the origins back to the Jeffersonians and the Hamiltonians; nevertheless a clearer beginning may be found with the birth of the Whig party and the adoption of the name, Democratic, for Jackson's party. Though formed as a coalition of those who could not stomach Jackson's program, without much of a platform, the Whig party did serve as a rallying point for the conservative forces of the nation. It was composed mainly of old Federalists, supporters of Clay and Adams, and certain states' rights people who began to sense the impending storm. But it was not until the eve of the Civil War that a more meaningful and consistent alignment of the parties took place.

THOUGHTS AND SMILES

Haile Selassie's personal holdings are worth about \$5,000,000, according to report. He lived in an excellent country for practicing how to save for rainy days. —*Washington Post*

Death and taxes are said to be the two certainties, but they are not equally annoying. You can die only once. —*Boston Transcript*

We are told that Germany and Italy are drawing closer together because they have the same set of enemies. The two dictators may ignore their past differences just as if they were treaties. —*New Yorker*

If there was another war I'd go as far as Atlantic City, but I wouldn't even wade into the tide to meet an enemy. —Gen. Smedley D. Butler

In the event the League of Nations wants an old, reliable excuse, it could say it didn't know Mussolini was loaded. —*Pittsburgh Post-Gazette*

We have no illusions about bringing up the young folks—it is just a question with me whether they do not bring us up. —Henry Ford

You can't fool all of the people all the time, but somebody is trying it all the time. —*Savannah Morning News*

No radical has ever been made in the United States by radical propaganda. The people who make radicals here are those who refuse to recognize the reality of change.—Dr. Frank Kingdon, president, University of Newark.

There is one way to stop all this campaign oratory. Take the letter "I" out of the alphabet. —*Miami Herald*

There are now 12 vacancies in the House of Representatives, not including Zioncheck who seems to be more vacuous than vacant. —*Wichita Eagle*



CINCINNATI AT THE TIME OF JEFFERSON'S ADMINISTRATION

From a water color in the Historical and Philosophical Society of Ohio.

Among the New Books

Patagonian

"El Jimmy: Outlaw of Patagonia," by Herbert Childs (Philadelphia: J. B. Lippincott Company. \$3).

PATAGONIA is at the southern tip of South America. It is a land of vast plains, where huge herds of sheep find pasture, of lakes and of mountains that are kindly to desperate men. It is a place where the milk of human kindness, if at all found, is very thoroughly skimmed. Only those go there who must seek a refuge from the law or from the boresomeness of their own lives. Its inhabitants are quick to avenge an insult with a sword, but even quicker to draw it for no reason except to show their own prowess.

No region could have been more hostile to a young Englishman. Yet Jimmy Radburne came there at the age of 18, and for over 40 years has led an extraordinary life until his name has almost become a legend. His story makes adventurous reading and is well told by Herbert Childs, who himself went to Patagonia to see Radburne.



YOUNG GUANACO IN PATAGONIA
From an illustration in "El Jimmy."

Robert Frost

"A Further Range," by Robert Frost (New York: Henry Holt and Company. \$2.50).

IN HIS latest volume of verse, Robert Frost ponders the contemporary scene. Politics, depression, war, ruthless strife for some fleeting thing—these show how "revolutionary bad" are our times. Our age is obviously confused:

Tityrus, sometimes I'm perplexed myself
To find the good of commerce. Why should I
Have to sell my apples and buy yours?

And Mr. Frost wonders whether

It can't be just to give the robber a chance
To catch them and take toll of them in transit.

Perhaps that is the answer to his question. Yet it is far too simple. Does it give the clue to our times? Perhaps

The question is whether they've reached a depth
Of desperation that would warrant poetry's
Leaving love's alternations, joy and grief,
The weather's alternations, summer and winter,
Our age-long theme, for the uncertainty
Of judging who is a contemporary liar—

It is a sad and happy conclusion to which Mr. Frost is led. That all of our groping and seeking should prove to be but a bundle of lies is sad, to be sure. Yet it is a happy thought that always beyond and above the "contemporary" lies there are things which are never confused.

Some things are never clear.
But the weather is clear tonight
Thanks to a clearing rain.
The mountains are brought up near,
The stars are brought out bright.

Advice to America

"Platform for America," by Ralph E. Flanders (New York: Whittlesey House. \$1).

BELIEVING that political platforms are designed only to allure the electorate, Mr. Flanders, who is a prominent industrialist, here outlines a program of his own for American recovery. He starts out with the assumption that the best interests

of any particular group are best served by the well-being of all groups. The depression lingers, he says, because all governmental aid has hitherto been directed toward satisfying sectional interests, despite the fact that these always call for restriction of goods. The basic fallacy of the New Deal, he insists, lies in this fact. Increase the consumption of goods, supply everyone with all that he needs, and your problems of unemployment and relief are solved.

To get at this solution, Mr. Flanders offers advice for all phases of our economic structure. He maintains that business must begin to realize that it can make profits only by raising the standard of living. If people can buy more goods, then factories need not remain idle. There is one way of doing this: by improving methods of production so that the costs of goods will be low and by maintaining relatively high wages. Likewise, agriculture must apply these principles to its problems. Through co-operatives, farmers should be able to bring more efficient methods to the raising and distribution of their crops so as to permit the urban population to consume all the products that it needs. Finally, labor must realize that unreasonable demands upon industry can only harm their own cause. If its demand for wages is too excessive, it can result only in high prices and a decline in consumption, thus throwing its ranks out of work.

It is apparent that Mr. Flanders is liberal in his approach to the problem of recovery. He is not, however, sufficiently concrete in suggesting how the immediate interests of each group can be made to yield to his long-range objective, one with which few economists would differ.

Congress at Work

"How Congress Makes Laws," by Clarence C. Dill (Washington: Published for Clarence C. Dill by Randell, Inc. \$1.50).

THE increasing interest in political affairs evident among all classes of citizens makes Mr. Dill's volume most timely. For a number of years, the author was one of the legislators in Washington, serving both as representative and senator. He is, therefore, well equipped by experience to tell how Congress makes laws. The legislative machinery of our federal government is far from simple. It is hedged with parliamentary rules, which must seem unduly cumbersome to observers. It often moves with sluggishness. Yet all these complications serve some purpose. They guard against hasty passage of measures that may be unwise. They tend to insure a judgment arrived at by the light of reason rather than the heat of oratory exploded to insure the proper impression upon gallery visitors.

A reading of this book will make these facts clear. How bills are introduced, the course they have to take before final enactment is lucidly explained by the author. The text is accompanied by a large number of cartoons, lending to it both liveliness and humor. Mr. Dill's style is very simple, so that he may be read with profit especially by young people.

From the Magazines

"The English Think in Chinese," by Lin Yutang. Forum, June, 1936.

A CHINESE journalist here appraises the English mind, which he regards as strikingly similar to that of his own people. Britain's empire, her career as a nation, the development of her in-

stitutions have not resulted, he maintains, from peculiarly gifted intelligence. Other European nations have had their share of intelligence. Brilliant logic has not been lacking in Germany nor gossamer subtlety in France. Yet neither of these peoples has been able to maintain so consistently successful a national life.

Mr. Yutang attributes the greatness of the English people to their unerring instinct for life. They have common sense. They are realistic. England, he says, has the knack of doing the right thing and calling it by the wrong name. England has always fought the right wars on the right sides and has always given the wrong reason for her choice. It is for this reason that those who do not understand the British accuse them of hypocrisy and deceit. The British feel their way in everything they do. They keep their feet close to the ground. But they cannot give any adequate explanation for what they do. That is why they are often forced to invent explanations which prove to have been wrong. They are blessed with stupidity, as it were; but in trying to appear less stupid, they abuse the blessing.

"Propaganda on the Air," by Frank C. Hanighen. Current History, June, 1936.

HOW radio has become a source of international friction is detailed in this article by Mr. Hanighen. Although the number of receiving sets in Europe is considerably smaller than in our country, it is nevertheless sufficiently large to be used for effective propaganda. Inhabitants of Vienna can easily tune in on stations in Rome. Programs from Hungary are heard in Czechoslovakia. It is thus a simple matter for a European government to influence the public opinion of its neighbors.

Moscow has been broadcasting news bulletins telling of the conditions that prevail in Russia and it is understandable that only items favorable to the Soviet régime will be told over the air when it is known that people in Berlin are among the listeners. Simultaneously from Russia come veiled attacks on the German government. Reciprocally, Moscovites hear harangues against communism from Berlin as well as denunciations of Stalin and suggestions for the restoration of a czar. Hungarians living in Czechoslovakia are urged from Budapest to agitate for the revision of postwar treaties.

Attempts have been made to bring the various countries into some agreement, but there is still no disposition to give up so powerful an instrument of propaganda. The



ROBERT FROST

From a photograph by Theodore Fisher, Denver, Colorado.

extent to which it can cause friction among nations was well illustrated recently when the British government charged that Italy was spreading propaganda by radio in India and Palestine.

"Five Meals a Day," by Albert Edward Wiggam. Review of Reviews, June, 1936.

ALBERT WIGGAM summarizes the findings of two Yale physiologists who for six years have carried on an intensive research into the problems of food. There are, he says, three almost universal beliefs concerning eating: that you should eat only when you are hungry, that your appetite and stomach will tell you when you are hungry, and that you should frequently give your stomach a rest. The Yale researchers have shown how unfounded these notions are.

Efficiency, they tell us, depends largely upon the length of time since the last meal. People who find themselves fatigued in the middle of the day are not necessarily overworked. They have used up the energies which food supplies. That is why rest in itself will frequently not give one the strength to resume any activity. An individual who eats five or six times a day will find that he is able to remain more alert than one who confines himself to the conventional three meals. He need not be hungry, for he may be so weary as not to feel hunger, though food is the very thing which he lacks. This, then, is Mr. Wiggam's conclusion: when you are tired, fatigued, blue, too tired to eat—eat.

SOMETHING TO THINK ABOUT

1. Do you see any significance in the fact that the Supreme Court's ruling on the New York Minimum Wage Act was arrived at by a majority of five to four?

2. Do you think that the states should have the power to regulate hours and wages or do you think the right of full freedom of contract should be maintained?

3. In your opinion would it be preferable to lodge the power to regulate wage and hour conditions in the federal government or in the state governments?

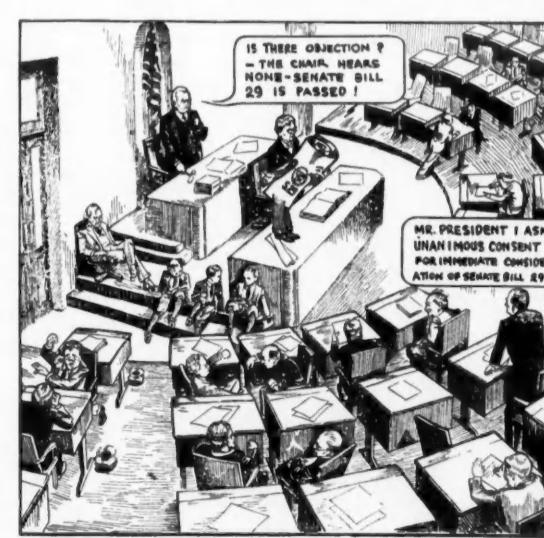
4. What are some of the unstable factors which may endanger the premiership of Leon Blum?

5. Do you think French workers made a mistake in striking just when the Popular Front government was coming into power?

6. What is the significance of the battle between William Green and John L. Lewis?

7. Do you think Mussolini is sincere in hinting that he may form an alliance with Germany?

8. Should relief, in your opinion, be administered by the federal government or by the states?



BILL PASSING IN THE SENATE

From "How Congress Makes Laws," by Clarence C. Dill.

Constitutional Issue Arises As Court Voids N. Y. Wage Act

(Concluded from page 1, column 1)

act? Could it step in and say that wages below a certain level should not be paid? Many employers called for such action. It would protect them from the competition of those who were unjust and heartless. Workers called for protection by the state. The national government could not act, for the Supreme Court has said that it cannot regulate conditions existing in industries which are wholly within a state. But how about the state governments? How about the legislature of New York, thought the people of that state.

The New York legislature thought it had the power to act. Each state has what is called "police power," or the power to enact laws to protect the health, morals, safety, or general welfare of its people. Every state or nation, every sovereignty, every government, is assumed to have that power. It is considered an essential prerogative of every government. It is just taken for granted that every government has such power unless the authority is taken away by a constitution. Each of the 48 states of the Amer-



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PIERCE BUTLER

ican Union has all powers which have not been given to the national government or reserved to the people, so it is assumed and admitted that each of the states may exercise police power or the power to legislate in any reasonable way in the interests of the health, morals, or welfare of their citizens. Under the police power a state legislature may prohibit the sale of liquor. It may regulate the use of firearms. It may establish public health rules or regulate hours of labor. May it not also say that persons employed, especially women, may not be forced to accept wages so low that they cannot live in health and decency? Is it not contrary to the general welfare for a large part of the people to be forced to live so that they cannot be healthy and so that the moral influences surrounding them are not wholesome?

The New York Law

The members of the New York legislature answered these questions in the affirmative. They thought the state did have a right to regulate wages, and so they passed a minimum wage law. The governor agreed with them and signed it.

This law created an industrial commissioner for the state. It was his business to investigate conditions prevailing among the industries of the state. If he believed that in any industry women and minors were receiving "oppressive and unreasonable" wages, he was to try to correct the situation. He did not act alone, but appointed a board. On this board were to be workers and employers and persons selected from the general public. The board was to decide what the lowest permissible wages for women should be in the industry. In reaching its decision it was to take into account what the employees earned, and what they required for a living. Then it was to prescribe a level below which wages should not go. If the industrial commissioner approved, he made the findings of the board public and asked all employers to abide by the rules. If he became convinced that a number of employers were ignoring the

request, he had power to change the request into an order. Then if any employer paid less than the prescribed wages, he was subject to fine and imprisonment.

Under this law codes of fair wages were established in a number of industries. The result was an increase of wages. The average wage of laundry workers rose from \$10.41 a week to \$13.42.

While most of the employers liked the law, some of them did not. A laundryman named Joseph Tipaldo refused to obey it. He said it was not constitutional. The case was taken to the United States Supreme Court, and it decided, by a vote of five to four, that he was right; that the New York act was unconstitutional; that states do not have the power to regulate wages. Since it had already been decided that the national government does not have such power, it now appears that no governmental authority can regulate wages. Employers and workers must fight it out. If employers are stronger and workers with no bargaining power are forced to accept wages which do not supply a decent living, there is nothing for any branch of the government to do about it.

What is the argument in favor of such a construction of the Constitution? Why does not New York, or any other state, have a right, under the police power, to regulate wages?

Arguments of Court

For an answer the majority of the Supreme Court turns to the fourteenth amendment, enacted shortly after the Civil War. It declares, among other things, "nor shall any state deprive any person of life, liberty or property without due process of law." Here is the argument relative to the meaning of that statement and its application to the Minimum Wage Act:

Every person has a right to liberty. This includes the right to make contracts. If a person is to be free, is to have liberty, he must have a right to agree to work for whatever wage he sees fit. If the state steps in and limits his right to make contracts to work, it is interfering with his liberty. If the state says to an employer: "You must not make a contract for anyone to work for you unless it provides for such and such a payment," it is interfering with the employer's right of contract. It is taking away his liberty.

But what about the rest of the provision? What about the words "without due process of law"? What does that mean? Well, the meaning is quite complex. But in a general way it may be said to mean in this case that liberty cannot be taken except under conditions which have been generally recognized. A man's liberty is taken by due

process of law when it is taken reasonably and for causes about the wisdom of which there is general agreement. A man's right to make some kinds of contracts can be limited by the state. It can, for example, set aside a contract by which one promises to do an unlawful act. When a state does that, when it deprives one of liberty in that way, it is acting in accordance with recognized custom, in accordance with "due process of law." But when a state says that a man (or woman) cannot enter into contracts to work at whatever wages they see fit, so the majority of the Supreme Court would argue, it is doing an unreasonable thing. It is taking away liberty in a way not in accordance with long-recognized custom. It is taking away liberty "without due process of law." Hence the action of the state legislature is unconstitutional. Such was the interpretation given by Justice Pierce Butler, who wrote the majority decision in the minimum wage case.

Minority Arguments

This, of course, is not the universal opinion of constitutional lawyers. It is not the opinion of Chief Justice Hughes or of Justices Stone, Brandeis, and Cardozo. They dissented from the majority opinion. They think that when women without bargaining power are forced to accept starvation wages and that when the state comes in to guarantee them higher wages, it is foolish to say that the state is taking away their "liberty." Justice Stone said in his dissenting opinion: "There is grim irony in speaking of the freedom of contract of those who, because of their economic necessities, give their service for less than is needful to keep body and soul together."

It is also argued by those who do not approve the decision of the majority of the Court, that the question of whether an action of a legislature is a *reasonable* limitation on liberty and consequently in accordance with due process of law, is a question for the legislature itself rather than the Court to decide. It has been held that a legislature may curtail liberty if it does so in the public interests; if it does not do it capriciously, but reasonably in an effort to protect the public good. Does the enactment of minimum wage laws come under that head? One's answer to that question depends not so much upon his knowledge of constitutional law as upon his economic ideas, his opinions about what forms of social and economic legislation are reasonable and in the public interests.

Nature of Issue

Such, in brief outline, are the chief legal points involved in this momentous decision. It is worth while to note, however, that whatever the arguments on the minority side may be, the law as defined by the five majority justices is the law of the land. Until the Constitution is changed, either by amendment or by a reversal of the Supreme Court's judgment by a later decision of that body, minimum wage legislation will be impossible. Such laws have been enacted by 17 states, so many states and people are directly affected.

This turn of events has presented a problem for each of the national conventions. Will they declare for an amendment of the Constitution giving powers over wage rates either to the national government or to the state governments? The question will undoubtedly come up in both conventions. We shall discuss the action of the parties in later numbers of this paper. But whatever the parties do or fail to do, in the present campaign, a grave constitutional issue remains squarely before the American people. Should some branch of the government, national or state, have power to regulate wages in American industries, or would it be better for the government to keep its



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—Doyle in the New York Post

hands off and allow problems of wages and living conditions to be threshed out in an unhindered contest between employers and workers? That question, both social and constitutional in nature, ranks high among the great issues with which American citizens must deal.

New French Premier Wins Early Success

(Concluded from page 2, column 4)

its predecessors, is pledged to remain on the gold standard. Yet, the belief is gaining ground that sooner or later the government will have to devalue the franc whether it wants to or not. It cannot go on borrowing forever with no sign of returning prosperity. In the opinion of most experts it is either dead, or remain in depression.

Thus, the Popular Front government, notwithstanding its early successes, is in for a trying period. If Blum can manage to overcome the obstacles ahead of him, his achievement will be nothing short of remarkable. If he can carry out the Popular Front program and, with his New Deal, point the way out of depression, he will have established a record which should assure him of power for a considerable while. He must, however, continue to please the parties combined in the Popular Front and that will be no easy task. There is danger that the Communists, mindful of the power of their 72 votes in the Chamber of Deputies, will begin to exert pressure for more radical action. If they do this, Blum will not be able to yield to their wishes lest he lose the support of the Radical Socialists which is essential to his continuing in office.

Another source of trouble may come from the workers themselves. They have just carried out a most successful strike. It is not likely that they dreamed of gaining everything they asked. But with the government behind them they were able to make employers toe the mark. There is a possibility, therefore, that they may be tempted to repeat the experience in quest of further demands. But whether they can be as successful a second time is a question. The employers gave in once, but grudgingly, and they made it clear that they placed full responsibility on Blum's government. They maintained that the increased costs to them resulting from the concessions made to workers would force prices up and accentuate the depression.

The next few months will be interesting and eventful ones for France. If success continues to favor Blum, France is likely to find a way out of her difficulties through democratic methods. But if he fails it is entirely possible that the way will be paved for a fascist reaction. The fascist leagues are still powerful if quiescent. They are confident that their day will come and that they will yet have an opportunity to "save France."



—Kirby in N.Y. World-Telegram